

**OVERSIGHT BOARD OF THE FORMER  
COMMUNITY REDEVELOPMENT AGENCY  
OF THE CITY OF COMPTON**

**STAFF REPORT**

**DATE: JULY 18, 2012**

**TO: THE HONORABLE CHAIR AND BOARD MEMBERS**

**FROM: AD-HOC COMMITTEE**

**SUBJECT: REPORT FROM THE AD-HOC COMMITTEE ON THE LEGAL  
COUNSEL REQUEST FOR PROPOSAL PROCESS**

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**BACKGROUND:**

Per the Oversight Board Meeting held on May 10, 2012, the Board appointed an Ad-Hoc Committee comprised of Ms. Deborah Willard and Mr. Jose Martinez. The goal of the committee was to research the most effective process and procedures for obtaining a legal firm/attorney to represent the Oversight Board.

**DISCUSSION:**

Dr. Willard and I began to research and contact various legal firms and attorneys to inquire as to their interest in representing the Oversight Board as Legal Counsel. Additionally, we began researching the process for developing an RFP for legal services. As part of that process the committee discussed with Successor Agency staff various options and performed its own research by contacting other legal firms and Cities to determine the Best Practices Approaches that have been implemented for this process.

Unfortunately, during this process Ms. Willard notified me that she will be resigning from her position with the Compton Unified School District and the Oversight Board. As a result, I met with Ms. Jesenia Sanchez, Oversight Board Chair, to discuss and continue the research process

for Legal Counsel. She advised me that she would research other legal firms to contact in this process as well. Through her research Ms. Sanchez was able to identify six (6) legal firms that Successor Agency staff would be able to forward them an RFP for legal services to the Board. In addition, I was able to locate an additional four (4) firms and attorneys that would be interested in providing their services as legal counsel to the Oversight Board.

During my research I did encounter some firms that stated they were not able to provide their services due to conflict of interest, as they are already providing services to other Successor Agencies or cities, etc.

Additionally, I researched and received sample RFP's and information from several cities, such as Burbank, Bellflower, Pomona, Montclair, South Gate and Santa Monica, for reference and examples for the Compton Oversight Board and Successor Agency staff to utilize.

Based on the research and investigation performed by the Ad-Hoc Committee, we recommend to the Oversight Board to direct Successor Agency staff to prepare an RFP for legal services for the Oversight Board; interview the preferred legal firms and present a recommendation to the Oversight Board at our next regular meeting on August 15, 2012, for selection of an Legal firm or attorney.

**JOSE MARTINEZ**  
**AD-HOC COMMITTEE**  
**OVERSIGHT BOARD MEMBER**

Item #4

**OVERSIGHT BOARD OF THE FORMER  
COMMUNITY REDEVELOPMENT AGENCY  
OF THE CITY OF COMPTON**

**STAFF REPORT**

**DATE: JULY 18, 2012**

**TO: THE HONORABLE CHAIR AND BOARD MEMBERS**

**FROM: EXECUTIVE DIRECTOR**

**SUBJECT: REQUEST FOR PROPOSALS (RFP) FOR LEGAL COUNSEL FOR  
OVERSIGHT BOARD**

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**RECOMMENDATION:**

1. Direct staff to issue RFP, review proposals and submit recommendation for retaining an outside Legal Counsel.
2. Adopt recommended protocol for use of outside counsel services by Oversight Board.
3. Authorize staff to revise ROPS #2 budget and allocate \$50,000 for Legal Services for the Oversight Board.

**BACKGROUND:**

At its May 10, 2012 meeting, the Oversight Board ("Board") directed staff to explore options for providing the Board with legal representation for the Oversight Board in carrying out its obligations pursuant to ABx1 26.. The Board created a sub-committee comprised of Ms. Jesenia Sanchez (replacing Ms. Deborah Willard) and Mr. Jose Martinez. The sub-committee recommended Successor Agency staff to prepare an RFP and submit to legal firms that are interested in working for the Compton Oversight Board.

**DISCUSSION/ANALYSIS:**

Based on the Board's direction, staff looked into various ways for providing legal counsel to the Board. This investigation included discussions with other cities' Successor Agency staff and Oversight Boards. Based on that analysis, staff believes that the most efficient and effective way to address the Oversight Board need for legal services is as follows:

## 1. Request for Proposal (RFP) Process.

Staff will prepare a Request for Proposal ("RFP") to solicit proposals to allow the Oversight Board to select outside legal counsel that best meets the needs and requirements of the Oversight Board. Successor Agency Staff would review the proposals and present a recommendation to the sub-committee, subject to final approval by the Board.

### **Use of Legal Services**

The legal counsel to the Oversight Board shall be responsible for advising the Board on issues related to the Brown Act, Public Records Act, Political Reform Act and particularly the California Community Redevelopment Law and the provisions set forth in *HSC* §§ 33500 et seq., particularly those functions of the Oversight Board set forth in *HSC* §§ 34179-34181. Legal Counsel will be expected to perform a range of legal duties which may include, but not be limited to the following:

- Provide legal advice regarding Oversight Board member duties, responsibilities and obligations;
- Provide legal advice and consultation on issues and actions before the Oversight Board;
- Provide legal advice and consultation to the Oversight Board regarding its relationship to and role with the Successor Agency;
- Provide legal opinions as requested by the Oversight Board on matters related to the duties of that board; and
- Other duties as necessary within the scope of the Oversight Board.
- Provide advice in reference to relationship with the State and County.
- Be present at all Oversight Board Meetings, providing Brown Act and other legal advice, as necessary

### **FISCAL IMPACT:**

Staff has budgeted the initial costs of legal services could be achieved through a retainer with the selected legal firm in the amount of \$50,000 dollars.

Staff is requesting authorization to revise our Recognized Obligation Payment Schedule #2 (ROPS 2) for this cost be included as a line item in either our Administrative Allowance Budget or Project Line Item. However, staff will seek direction from the Department of Finance for approval of the preferred method of payment in the ROPS.

Therefore, in an effort to provide legal representation to the Board in the most cost effective manner, staff is recommending that the Board adopt the following procedure for obtaining legal input if and when necessary.

**RECOMMENDATION:**

Staff recommends that the Oversight Board approve recommendation Action items #1-3 for the Request for Proposal for Legal Counsel for the Oversight Board.

Note: That the above actions of the Oversight Board shall not become effective for three business days, pending any request for review by the DOF. If DOF requests review of the above Board actions, it will have 10 days from the date of its request to approve the Oversight Board action or return it to the Oversight Board for reconsideration and the action, if subject to review by DOF, will not be effective until approved by DOF.

**Bryan Batiste**  
**Executive Director**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF COMPTON AUTHORIZING SUCCESSOR AGENCY STAFF TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR LEGAL COUNSEL FOR THE OVERSIGHT BOARD**

**WHEREAS**, at its May 10, 2012 meeting, the Oversight Board (“Board”) directed Successor Agency staff to explore options for providing the Board with legal representation for the Oversight Board in carrying out its obligations pursuant to ABx1 26; and

**WHEREAS**, at its May 10, 2012 meeting, the Oversight Board created a sub-committee comprised of Ms. Jesenia Sanchez (replacing Ms. Deborah Willard) and Mr. Jose Martinez. The sub-committee recommended Successor Agency staff to prepare an RFP and submit to legal firms that are interested in working for the Compton Oversight Board; and

**WHEREAS**, Based on the Board’s direction, staff looked into various ways for providing legal counsel to the Board. This investigation included discussions with other cities’ Successor Agency staff and Oversight Boards. Based on that analysis, staff believes that the most efficient and effective way to address the Oversight Board need for legal services is as follows:

1. Request for Proposal (RFP) Process.

Staff will prepare a Request for Proposal (“RFP”) to solicit proposals to allow the Oversight Board to select outside legal counsel that best meets the needs and requirements of the Oversight Board. Successor Agency Staff would review the proposals and present a recommendation to the sub-committee, subject to final approval by the Board; and

**WHEREAS**, the legal counsel to the Oversight Board shall be responsible for advising the Board on issues related to the Brown Act, Public Records Act, Political Reform Act and particularly the California Community Redevelopment Law and the provisions set forth in *HSC* §§ 33500 et seq., particularly those functions of the Oversight Board set forth in *HSC* §§ 34179-34181. Legal Counsel will be expected to perform a range of legal duties which may include, but not be limited to the following:

- Provide legal advice regarding Oversight Board member duties, responsibilities and obligations;
- Provide legal advice and consultation on issues and actions before the Oversight Board;
- Provide legal advice and consultation to the Oversight Board regarding its relationship to and role with the Successor Agency;
- Provide legal opinions as requested by the Oversight Board on matters related to the duties of that board; and
- Other duties as necessary within the scope of the Oversight Board.
- Provide advice in reference to relationship with the State and County.
- Be present at all Oversight Board Meetings, providing Brown Act and other legal advice, as necessary

**WHEREAS**, staff has budgeted an initial costs of legal services could be achieved through a retainer with the selected legal firm in the amount of \$50,000 dollars. Successor Agency Staff is requesting authorization to revise our Recognized Obligation Payment Schedule #2 (ROPS 2) for this cost be included as a line item in either our Administrative Allowance Budget or Project Line Item. However, staff will seek direction from the Department of Finance for approval of the preferred method of payment in the ROPS.

**NOW, THEREFORE, THE OVERSIGHT BOARD TO THE SUCCESSOR AGENCY OF THE CITY OF COMPTON, HEREBY FINDS, DETERMINES, RESOLVE, AND ORDERS AS FOLLOWS:**

**Section 1.** That the above recitals are hereby true and correct and are a substantive part of this resolution.

**Section 2.** That this resolution is adopted pursuant to Health and Safety Code Section 34177.

**Section 3.** That the Oversight Board hereby authorizes Successor Agency staff to issue a Request for Proposals (RFP) for Legal Counsel for the Oversight Board. See Exhibit A.

**Section 4.** That the officers and staff of the Oversight Board and the Successor Agency are hereby authorized and directed, jointly and severally, to execute and to do any and all things which they may deem necessary or advisable to effectuate this resolution.

**Section 5.** That a certified copy of this resolution shall be filed in the offices of the Executive Director of the Successor Agency.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2012.

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**CHAIRPERSON OF THE OVERSIGHT BOARD  
TO THE SUCCESSOR AGENCY TO THE  
COMMUNITY REDEVELOPMENT  
AGENCY OF THE CITY OF COMPTON**

**ATTEST:**

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**RHONDA RANGEL, DEPUTY CLERK  
LOS ANGELES COUNTY BOARD OF SUPERVISORS  
ACTING AS SECRETARY TO THE OVERSIGHT  
BOARD TO THE SUCCESSOR AGENCY TO THE  
COMMUNITY REDEVELOPMENT  
AGENCY OF THE CITY OF COMPTON**

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES  
CITY OF COMPTON: ss

I, Rhonda Rangel, Secretary to the Oversight Board to the Successor Agency to the Community Redevelopment Agency of the City of Compton, hereby certify that the foregoing resolution was adopted by the Board, signed by the Chairperson, and attested by the Secretary at the regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2012.

That said resolution was adopted by the following vote, to wit:

**AYES:           BOARD MEMBERS -  
NOES:           BOARD MEMBERS -  
ABSENT:        BOARD MEMBERS -**

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**RHONDA RANGEL, DEPUTY CLERK  
LOS ANGELES COUNTY BOARD OF SUPERVISORS  
ACTING AS SECRETARY TO THE OVERSIGHT  
BOARD TO THE SUCCESSOR AGENCY TO THE  
COMMUNITY REDEVELOPMENT  
AGENCY OF THE CITY OF COMPTON**